

7.8 MU DISTRICT – MIXED USE DISTRICT

7.8.1 MINIMUM LOT AREA

No minimum required

7.8.2 BUILDING HEIGHT

No restrictions, except as regulated in the Military Overlay District.

7.8.3 YARDS REQUIRED

(1) **Front yard**

Fifteen (15) feet

(2) **Side yard**

Six (6) feet

(3) **Rear yard**

Ten (10) feet

(4) **Exclusion**

Yard requirement provisions shall not apply to ground level installation of exterior spot lighting allowed as an accessory use.

7.8.4 SIGNS

Signs shall be subject to the regulations contained in Section 8.1.
No signage advertising off-premise businesses allowed.

7.8.5 OFF-STREET PARKING

Off-street Parking shall be provided in accordance with Section 8.4.

7.8.6 LANDSCAPING

Landscaping requirements shall be in accordance with Section 8.18.

7.8.7 SITE PLAN

Site Plan Review and Approval, as required in Section 8.5.

In each case where a commercial building or use is proposed, the Zoning Administrator shall review the site plan of the proposal in accordance with Section 8.5 and shall approve, or approve with modifications, or disapprove such site plan. In modifying or disapproving such site plan, the Zoning Administrator shall enter his reasons for such action in Office of Zoning Administrator's records.

7.8.8 PERMITTED PRINCIPAL USES

- (1) All permitted principal uses allowed in RR-5, SR-1, and SR-2 Districts
- (2) Any retail or wholesale trade (excluding large equipment trade) including, but not limited to:
 - (a) Administrative Services.
 - (b) Agricultural Sales (small equipment/machinery).
 - (d) Auction Sales.
 - (e) Automotive, mobile home, marine, recreational vehicle and accessories sale and service.
 - (f) Building materials, hardware and farm equipment sales and service.
 - (g) Casino, provided it is not within 600 feet (measured in a straight line, without regard to intervening structures or streets, from the outer wall of the casino, to the outer wall of the preceding use) of an education facility (K-12), day care facility, or worship facility.
 - (h) Construction Material Sales.
 - (i) Contractor Yard, Small (8.15.1).
 - (j) Financial Services.
 - (k) Funeral Home.
 - (l) General Repair.
 - (m) General Sales.

- (n) General Services.
- (o) Health Care Center
- (p) Health Care Facility.
- (q) Hotel and Motel.
- (r) Microbrewery.
- (s) Off-Site Liquor Sales.
- (t) Outdoor sports and recreation/entertainment.
- (u) Professional Services.
- (v) Restaurant.
- (w) Recreational Vehicle Park.
- (x) Retail.
- (y) Secondhand Sales.
- (z) Shopping Center.
- (aa) Small Equipment Rental / Sales / Repair.
- (bb) Specialty Sales.
- (cc) Tavern.
- (dd) Veterinary Clinic – Small Animal.
- (ee) Vehicle Fuel Sales.
- (ff) Vehicle Repair.
- (gg) Vehicle Sales and Rental.
- (hh) Vehicle Services.
- (ii) Wholesale trade.
- (jj) Instructional Facility.
- (kk) Agricultural Commodity Storage Facility.

- (3) Storage Facility, Self-Service where indoor storage space is provided for rent or lease and subject to the following conditions:
 - (a) Principal use of a rented or leased space shall be restricted to storage and shall not include processing, refining, transfer or distribution of any commercial material or product; and
 - (b) Storage of flammable or explosive liquids, solids, or gases shall not be permitted.
 - (c) Landscaping requirements shall be in accordance with Section 8.18.
 - (d) All material must be stored inside units. Storage of licensed, operable, vehicles including but not limited to Recreational Vehicles, Cars, Trucks, Vans, Trailers, Boats, Motorcycles, and All Terrain Vehicles, may be outside provided that proper screening, approved by the Planning Director, as to shield these units will occur.
- (4) Mobile Home Park / Mobile Home Court.
- (5) On-Site Construction Office.
- (6) Gravel Pit (open cut mining operation).

7.8.9 PERMITTED ACCESSORY USES LOCATED ON THE SAME LOT WITH THE PERMITTED PRINCIPAL USE

- (1) Any customary use incidental to the permitted use but not including any permanent outdoor storage.
- (2) Signs as covered in Section 8.1, pertaining to the permitted use and on the same lot therewith. No signage advertising off-premise businesses allowed.
- (3) Exterior spot lighting of buildings or grounds, provided such sources be shaded from motorists on public roadways and be located so that the beams are not directed toward any lot in a residential district or public highway.
- (4) Amateur Radio Station and/or Antenna, Meteorological Towers, Residential Wind Turbine not to exceed 50 kW may be used in the MU District subject to the requirements of Section 8.8 of these regulations.
- (5) Home Occupations.

- (6) Professional Office in a Residence.

7.8.10 USES PERMITTED UPON ISSUANCE OF A SPECIAL USE PERMIT

- (1) Manufactured housing sales.
- (2) Veterinary clinic, large animal.
- (3) Commercial kennel.
- (4) Large equipment rental / Sales / Repair.
- (5) Warehouse.
- (6) Animal shelter.
- (7) Administrative Government Center.
- (8) Composting facility.
- (9) Recycling center.
- (10) Solid waste transfer station.
- (11) Telecommunication facility.
- (12) Bus transit terminal.
- (13) Commercial parking lot.
- (14) Parking structure.
- (15) Taxi dispatch terminal.
- (16) Artisan shop.
- (17) Light manufacturing & assembly.
- (18) Garage, Public.
- (19) Indoor Entertainment.
- (20) Indoor Sports and Recreation.
- (21) Membership Club.
- (22) Parking Garage.

- (23) Tourist Home.
- (24) Utility Installation, Minor.

(25) Worship Facility.

(26) A second dwelling, including accessory dwelling units (examples: 1 single family home with garage apartment; or 1 duplex for two families; or two single family homes).

7.8.11 USES SPECIFICALLY NOT PERMITTED

- (1) Medical Marijuana Provider.
- (2) Sexually-Oriented Businesses.

public for purposes of recreation, sharing information, entertainment, social service, or similar activities; the term includes fraternal, social, or civic clubs, lodges, union halls, and the like.

COMMUNITY CULTURAL FACILITY

A place and/or building, or portion thereof, that is used or is intended for studying, reading, personal education, or for viewing the visual arts; the term includes libraries, museums, art galleries, observatories, and the like; the term does not include performing arts.

COMMUNITY GARDEN

An outdoor area that is used to grow vegetables, fruits, flowers, and the like by a group of unrelated individuals who primarily use what is grown for their personal use; the community garden can be divided into individual plots of land for the exclusive use of the person assigned each plot, or the entire garden may be a cooperative effort of any number of people, or a combination thereof.

COMMUNITY RESIDENTIAL FACILITY

Community residential facility ~~serving eight or fewer persons~~ is considered a residential use of property for purposes of zoning if the home provides care on a 24-hour-a-day basis. (MCA) 76-2-412.

Definition of community residential facility. "Community residential facility" means:

- (1) a community group home for developmentally, mentally, or severely disabled persons that does not provide skilled or intermediate nursing care;
- (2) a youth foster home, a kinship foster home, a youth shelter care facility, a transitional living program, or youth group home as defined in (MCA)52-2-602;
- (3) a halfway house operated in accordance with regulations of the department of public health and human services for the rehabilitation of alcoholics or drug dependent persons;
- (4) a licensed adult foster family care home; or
- (5) an assisted living facility licensed under (MCA)50-5-227. (MCA)76-2-411.

Community group home

"Community home for persons with severe disabilities" means a family-oriented residence that is designed to provide residential services for two to eight persons with severe disabilities and that does not provide skilled or intermediate nursing care. This definition does not preclude the provision of skilled or intermediate nursing care by third-person providers. (52-4-202(1), MCA)

Youth foster home

"Youth foster home" means a youth care facility in which substitute care is provided to one to six children or youth other than the foster parents' own children, stepchildren, or wards.(52-2-602(12),MCA)

Youth group home

"Youth group home" means a youth care facility in which substitute care is provided to 7 to 12 children or youth. (MCA)52-2-602(13).